

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**NEXTCARD, LLC,
Plaintiff,**

V.

CHASE BANK USA, N.A., CITIBANK
(SOUTH DAKOTA), N.A., CAPITAL
ONE BANK (USA), N.A., WELLS
FARGO FINANCIAL, INC., ZIONS
FIRST NATIONAL BANK, N.A., THE
HARRIS BANK, N.A.

Civil Action No. 2:09-cv-00394-TJW

Defendants.

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ORDER OF DISMISSAL WITH PREJUDICE OF ALL CLAIMS
BETWEEN NEXTCARD, LLC AND CAPITAL ONE BANK (USA), N.A.

On this day, the Court considered the Stipulation of Dismissal of Claims Between NextCard, LLC and Capital One Bank (USA), N.A. After considering the Stipulation, the Court hereby dismisses all claims asserted by Plaintiff NextCard, LLC against Defendant Capital One Bank (USA), N.A. and all claims asserted by Capital One Bank (USA), N.A. against NextCard, LLC WITH PREJUDICE to re-filing same. Each party is to bear its own costs.

SIGNED this 3rd day of December, 2010.

Charles Everingham
CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE